

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.43615 of 2018

ORDER:

1) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the seizure of 420 Kgs. of jaggery along with Bajaj Mega Max auto bearing No.AP 22X 2242 of the petitioners, pursuant to the panchanama and registration of case in COR No.198/ 2018, dated 29.09.2018, by respondent No.2 as illegal and arbitrary.

2) The Government Pleader for Prohibition and Excise, on instructions, states that the vehicle is now deposited with the Deputy Commissioner of Excise concerned and that the petitioner has to make an application before the concerned authority seeking release of the vehicle.

3) Having regard to the above, the present writ petition is disposed of directing the petitioner to make an application before the Deputy Commissioner of Excise concerned, seeking release of the above vehicle, enclosing thereto a fixed deposit for the value of the vehicle as assessed by the concerned Motor Vehicle Inspector, and on such an application being made, the interim custody of vehicle shall be handed over to the petitioner. It is needless to mention that the petitioner shall not alienate, encumber or alter the physical features of

the vehicle, till the proceedings are completed. Insofar as the jaggery is concerned, the owner of the said material shall make an application before the concerned seeking release of the same by producing required material, in which event the concerned authority shall release the same on such terms and conditions as he thinks fit, in accordance with law. No costs.

4) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

03.12.2018
vnb



JUSTICE C. PRAVEEN KUMAR